

CONCLUSION

N.J.A.C. 4A:3-3.9(e) states that in classification appeals the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which if portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the job specification for Truck Driver states:

Under direction, drives a truck with a single axle to transport nonhazardous materials, equipment, or people; does other related work.

The definition section of the job specification for Maintenance Worker 3 Grounds states:

Under direction, takes the lead and performs the more complex work in caring for and maintaining park grounds, athletic fields/turf and related equipment, recreational areas, facility grounds, and other landscaped and lawn areas; may function as an assistant supervisor; performs other related duties as required.

A review of the duties of the appellant's position indicates that they most closely match the job description for Truck Driver. The outcome of position classification is not to provide a career path to the incumbents, but rather is to ensure that the position is classified in the most appropriate title available within the State's classification plan. *See In the Matter of Patricia Lightsey* (MSB, decided June 8, 2005), *aff'd on reconsideration* (MSB, decided November 22, 2005). Further, the volume of work or how well or efficiently an employee does his or her job, their length of service, and their qualifications have no effect on the classification of a position currently occupied, as *positions*, not employees, are classified. Also, the fact that some of an employee's assigned duties may compare favorably with some examples of work found in a given job specification is not determinative for classification purposes, since, by nature, examples of work are utilized for illustrative purposes only. Moreover, it is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed.

Further, it is long-standing policy that upon review of a request for position classification, when it is found that the majority of an incumbent's duties and responsibilities are related to the examples of work found in a particular job specification, that title is deemed the appropriate title for the position. In this regard, it is noted that Agency Services evaluated all the duties listed by the

appellant in his PCQ and stated in the interview. While the percentages of time differed, although many other duties were listed, in the interview the appellant stated that he drives a truck for a majority of the time. Also, his supervisor indicated that the appellant drives a truck and performs truck driver duties for 50% of his time, transporting machinery to various locations. He also drives employees to designated work areas, and performs truck inspections. On appeal, the appellant does not dispute that he drives a truck the majority of his time. Rather, he requests that his title should be considered for promotional opportunities. In this regard, a classification appeal is not the forum to discuss promotional examinations. The appellant primarily drives a truck, which is consistent with the Truck Driver title.

Accordingly, a thorough review of the entire record fails to establish that Edward Gentile has presented a sufficient basis to warrant an Maintenance Worker 3 Grounds classification of his position.

ORDER

Therefore, the position of Edward Gentile is properly classified as Truck Driver.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 14th DAY OF AUGUST, 2019



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Edward Gentile
Elinor Gibney
Kelly Glenn
Records Center